

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY, SEPTEMBER 24, 2012**, following Public Hearings and the meetings of any scheduled Committees at **6:04 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

CALL TO ORDER

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

APPROVAL OF MINUTES:

Public Hearings: Bill No. 12-17, 12-18, 12-19, 12-20 &

**First Amendment to the Cane Bay Development Agreement
Regular Council Meeting**

August 27, 2012

August 27, 2012

PUBLIC DISCUSSION - Requests to be heard must be made prior to Call to Order and comments must be limited to agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

PROCLAMATION – National Friends of Library Week

REPORTS FROM STANDING COMMITTEES:

- 1. Committee on Finance**
Council Member, Mr. Jack H. Schurlknight, Chairman
 - a. Sponsorship of Santee Cooper holiday light display.

- b. Request by Asahi for reconveyance of certain equipment.
- 2. **Committee on Land Use**
Council Member, Mr. Phillip Farley, Chairman
- 3. **Committee on Public Works and Purchasing**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman
 - a. Surplus Vehicles and Equipment
 - b. Sole Source Purchase of Scale.
 - c. Sole Source Purchase of software.
 - d. Purchase of computer hardware.
 - e. Purchase of two (2) Ambulances.
 - f. Bookmobile Upfit.
- 4. **Committee on Justice and Public Safety**
Council Member, Mr. Steve C. Davis, Chairman
 - a. Transfer of funds from Fire Pool Fees.
- 5. **Committee on Water and Sanitation**
Council Member, Mr. Robert O. Call, Jr., Chairman
- 6. **Committee on Planning and Development**
Council Member, Mrs. Cathy S. Davis, Chairman
- 7. **Committee on Community Services**
Council Member, Mr. Timothy J. Callanan, Chairman
 - a. Grant Approval
- 8. **Committee on Human Services**
Council Member, Mr. Dennis Fish, Chairman

THIRD READING:

- 1. **Bill No. 12-21**, an **ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: James Patenaude for Yeros Investments**, located at 2509 Clements Ferry Road, Charleston, **TMS #271-00-02-045**, (5.01 +/- Acres) from **GC, General Commercial District** to **LI, Light Industrial District**. Council District 8.
[Recommended by Land Use Committee]
- 2. **Bill No. 12-22**, an **ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Berkeley County Council for Shelby Ann Clark**, located 216 & 217 Kaney Lane, Moncks Corner, **TMS #141-00-02-011** (13.52 +/- Acres) from **PDMU, Planned Development Mixed Use District** to **Flex-1, Agricultural District**. Council District 6.

[Recommended by Land Use Committee]

3. **Bill No. 12-23**, an **ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Farmers and Merchants Bank**, located at 2725 South Live Oak Drive, Moncks Corner, **TMS #196-13-00-005**, (0.67 +/- Acres) from **R-2, Manufactured Residential District to GC, General Commercial District**. Council District 6.

[Recommended by Land Use Committee]

SECOND READING:

1. **Bill No. 12-24**, an **ordinance** authorizing the execution and delivery of a **Fee Agreement** by and between Berkeley County, South Carolina (the “County”), and **Nucor Corporation** (the “Sponsor”), with respect to the expansion of the sponsor’s manufacturing facility within the County (the “Project”), whereby the project will be subject to certain fees in lieu of ad valorem property taxes, special source revenue credits, the benefits of a multi-county industrial park agreement, and other matters related thereto.

[Recommended by Finance]

FIRST READING:

1. **Bill No. 12-25**, an **ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Bobby & Susan Holcombe**, located at 1273 & 1281 Edgewater Road, Pineville, **TMS #021-00-02-075 & -076**, (3.4 +/- Acres) from **GC, General Commercial District to Flex-1, Agricultural District**. Council District 7.

[Recommended by Land Use]

2. **Bill No. 12-26**, an **ordinance** to **amend** certain sections of Ordinance No. 01-8-35, the Berkeley County Zoning and Development Standards Ordinance, as amended, to provide for the regulation uses permitted with conditions within the **RNC, Rural and Neighborhood Commercial Zoning District**.

[Recommended by Land Use]

3. **Bill No. 12-27, Eighth Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina combined **Utility System Refunding Revenue Bonds**, in one or more series, in the principal amount of not exceeding \$28,000,000 for the purpose of refunding all or a portion of the \$98,725,000 original principal amount Berkeley County, South Carolina **Water and Sewer System Revenue Bonds, Series 2003**; and other matters relating thereto.

[Recommended by Water & Sanitation]

4. **Bill No. 12-28, Ninth Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, combined **Utility System Refunding Revenue Bonds**, in one or more series, in the principal amount of not exceeding \$116,500,000 for the

purpose of refunding all or a portion of the \$105,750,000 original principal amount Berkeley County, South Carolina **Water and Sewer System Revenue Bonds, Series 2005A**; and other matters relating thereto.

[Recommended by Water & Sanitation]

5. **Bill No. 12-29**, an **ordinance** consenting to the termination of certain arrangements for Fee-In-Lieu of tax payments between Berkeley County, South Carolina and **Asahi Kasei Spandex America, Inc.**, under Title 4, Chapter 29 and Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended.

[Recommended by Finance]

RESOLUTION:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2012-2013 Berkeley County Budget** for County purposes other than as specified in said budget.
2. **RESOLUTION** approving the assessments as set forth in the **Assessment Roll** of the **Jedburg Road Improvement District and the Jedburg Road Improvement Plan**, as adopted by County Council in Ordinance Number 09-02-05, pursuant to Title 4, Chapter 35, of the Code of Laws of South Carolina 1976, as amended.

NOMINATIONS FOR MEMBERSHIP ON BOARDS AND COMMISSIONS

Aeronautics Commission
Berkeley Rural Transportation Management Assoc.
Charleston Area Transportation Study
Charleston Regional Development Alliance
Construction Board Of Appeals
Council Of Governments
Devon Forest Special Tax District
Goose Creek Recreation Commission
Library Board
Mental Health Board
Pimlico Tax District
Special Fire Tax District
Tall Pines Special Tax District
Tax Assessment Review Board
Zoning Appeals Board

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

The **October 2012 Regular Meeting of Berkeley County Council** will be held on **Monday, October 22, 2012**, immediately following Public Hearings and any scheduled Committee Meetings at 6:00 p.m., in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, SC.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

September 19, 2012
S/Catherine R. Windham
Interim Clerk to County Council